

STATE OF INDIANA)
) SS:
COUNTY OF OWEN)

IN THE OWEN CIRCUIT COURT

CAUSE NO. 60C01-0603-MI-107

IN THE MATTER OF
LOCAL RULES OF THE
OWEN CIRCUIT COURT

ORDER

Pursuant to Trial Rule 81 C and Administrative Rule I of the Indiana Rules of Court, the Court now Orders that the following Local Rules are adopted as the Local Rules of the Owen Circuit Court, effective June 1, 2006. The Court further Orders that any existing Local Rules, which are not specifically adopted and incorporated herein, shall be superceded by these new Local Rules and shall be null and void.

LOCAL COURT RULES

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LR60-TR79 (H)-1**Special Judge Assignment in Civil Cases**

When it is necessary to appoint a special judge pursuant to Trial Rule 79 (H), it shall be done in accordance with District 20 Rule on appointment of special judge in civil cases at **DR20-TR79-000**.

(Amended effective August 15, 2013)

DR 20-TR79-000**Appointment of Special Judge in Civil Cases****A. Eligibility for Special Judge Service:**

1. **Agreement to Serve.** Pursuant to Trial Rule 79(H), the full-time Judicial Officers of Administrative District 20 shall be deemed in agreement to serve as a Special Judge only for those case type(s) which compose that Judicial Officer's typical caseload, as determined by the Local County Caseload Allocation Plan.
2. **Prior Service Excluded.** The appointment as Special Judge shall apply unless the appointed Judicial Officer has previously served as Judge or Special Judge in the case, is disqualified by interest or relationship, or is excused from service as a Special Judge by the Indiana Supreme Court.

B. Appointment of a Special Judge: In the event of the need for the regular, sitting Judicial Officer to recuse herself/himself from a normally assigned case, or should the appointment of a Special Judge through agreement by the Parties fail, the Special Judge appointment shall be made by the Administrative District 20 Facilitator:

1. **Priority Given to Local County Appointments.** Special Judge appointments shall be made within the Local County, on a rotating basis so long as a Judicial Officer within the County who has jurisdiction for the type of case remains eligible for Special Judge service. Following the appointment of the Special Judge, the Special Judge may request that the case be transferred to the court of the Special Judge.
2. **District (Outside County) Appointments.** In the event that no Local Judicial Officer is available, the case will be forwarded to the District 20 Facilitator who will appoint a Special Judge on a rotating basis, from the available Judicial Officers within the Administrative District who have jurisdiction for the type of case.

C. Acceptance of Appointment:

1. **Acceptance Mandatory.** Pursuant to Trial Rule 79(H), a person appointed to serve as Special Judge under these rules must accept jurisdiction in the case, unless the appointed Special Judge is disqualified pursuant to the Code of Judicial Conduct, ineligible for service under these rules, or excused from service by the Indiana Supreme Court.
2. **Documentation.** An oath or additional evidence of acceptance of jurisdiction is not required.

- D. Supreme Court Certification.** In the event that no Judicial Officer in the Administrative District is eligible to serve as a Special Judge, or the regular, sitting Judicial Officer in the court in which the case is pending sets out particular circumstances why appointment under these rules should not be made, then the regular, sitting Judicial Officer shall certify the same to the Indiana Supreme Court for appointment of a Special Judge.
- E. Discontinuation of Special Judge Service.** The provisions of T.R. 79(I) apply if a Special Judge ceases to serve following assumption of jurisdiction.
- F. Method of Assignment and Related Records.** The District Facilitator has maintained a method for rotation for appointments and maintained records related thereto which will be continued. Any amendments to the method will be made by votes cast by the Judicial Officers of Administrative District 20.

(Adopted effective August 15, 2013)

LR60-CR2.2-1 Case Assignment

All felony, misdemeanor, infraction, and ordinance violations cases filed in Owen County, Indiana shall be assigned to the Owen Circuit Court. The Court shall assign all infractions and ordinance violations to the Referee of the Small Claims and Minor Offenses Division of this Court for the purposes of finding facts and making recommendations to this Court for disposition. The Court shall assign all misdemeanors and class B, C, and D felonies to the Referee of the Small Claims and Minor Offenses Division of this Court for purposes of initial and various pretrial hearings.

LR60-CR2.2-2 Transfer

There shall be no transfer or reassignment of any case to another court, except as provided in the event of a change of venue. The court, however, from time to time may assign a misdemeanor to the Referee of the Small Claims and Minor Offenses Division of this Court for purposes of conducting a trial and making findings of fact for this Court. The Court shall retain jurisdiction for purposes of ultimately deciding said case.

LR60-CR2.2-3 Refiling and Subsequent Filings

When the State of Indiana dismisses a case and chooses to refile that case, the case shall be assigned to the Court from where the dismissal was taken.

LR60-CR2.2-4 Appointment of Special Judge in Criminal Cases

When it is necessary to appoint a special judge pursuant to Criminal Rule 13, it shall be done in accordance with District 20 Rule on appointment of special judge in criminal cases at **DR20-CR13-000**.

(Amended effective August 15, 2013)

Each county within the Administrative District shall amend its local rules, pursuant to Criminal Rule 2.2 and 13, to allow for appointment of Special Judges utilizing the following elements.

- A. Eligibility for Special Judge Service.**
 - 1. **Available to Serve.** Pursuant to Criminal Rule 13(C), the Judicial Officers of Administrative District 20 shall be deemed in agreement to serve as a Special Judge only for those case type(s) which compose that judicial officer's typical caseload, as determined by the local Caseload Allocation Plan.
 - 2. **Prior Service Excluded.** The appointment of Special Judge shall apply unless the appointed Judicial Officer has previously served as Judge or Special Judge in the case, is disqualified by interest or relationship, or is excused from service as a Special Judge by the Indiana Supreme Court.
- B. Appointment within the Administrative District.** In order to improve the coordination within the Administrative District, and pursuant to Criminal Rule 13(C), appointments of a Special Judge in criminal cases shall be made among the Judicial Officers of the Administrative District.
- C. Appointment of a Special Judge.** In the event of the need for the regular, sitting Judicial Officer to recuse herself/himself from a normally assigned case, Special Judge appointment shall be made by the Administrative District 20 Facilitator.
 - 1. **Priority Given to Local County Appointments.** Pursuant to Criminal Rule 2.2, appointments of a Special Judge shall be made in the same manner as set forth within the Local Rules of the Local County, so long as a Judicial Officer with criminal jurisdiction remains available within the Local County for appointment. Following the appointment of the Special Judge, the Special Judge may request that the case be forwarded to the court of the Special Judge.
 - 2. **District (Outside County) Appointments.** In the event that no Local Judicial Officer is available, a Special Judge shall be appointed, on a rotating basis, from the available Judicial Officers within the Administrative District.
- D. Acceptance of Appointment.**
 - 1. **Acceptance Mandatory.** Pursuant to Criminal Rule 13(C), a person appointed to serve as Special Judge under these rules must accept jurisdiction in the case, unless the appointed Special Judge is disqualified pursuant to the Code of Judicial Conduct, ineligible for service under these rules, or excused from service by the Indiana Supreme Court.
 - 2. **Documentation.** An oath or additional evidence of acceptance of jurisdiction is not required.
- E. Supreme Court Certification.** In the event that no Judicial Officer in the Administrative District is eligible to serve as a Special Judge, or the regular, sitting Judicial Officer in the court in which the case is pending sets out particular circumstances why appointment under these rules should not be made, then the regular, sitting Judicial Officer shall certify the same to the Indiana Supreme Court for appointment of a Special Judge.

- F. Discontinuation of Special Judge Service.** The provisions of C.R. 13(F) if a Special Judge ceases to serve following assumption of jurisdiction.
- G. Method for Assignment and Related Records.** The District Facilitator has maintained a method for rotation for appointments and maintained records related thereto which will be continued. Any amendments to the method will be made by votes cast by the Judicial Officers of Administrative District 20.

(Adopted effective August 15, 2013)

LR60-CR2.2-5

Certification of Unavailability to Supreme Court

In the event that no judge is available for assignment or reassignment of a felony or misdemeanor case, such case shall be certified to the Indiana Supreme Court for the appointment of a special judge. In the event that the judge presiding in a felony or misdemeanor case concludes that the unique circumstances presented in such proceeding require appointment by the Indiana Supreme Court of a special judge, this presiding judge may request the Indiana Supreme Court for such appointment.

(This Rule has been modified on July 1, 2011. The original version was approved by the Indiana Supreme Court on June 19, 1995.)

LR60-CR-6

Bond schedule in Criminal Cases

Pursuant to Indiana law, the Court now establishes the following bond schedule which shall apply to all individuals arrested in Owen County, Indiana.

Said schedule shall not apply to any defendant arrested pursuant to a warrant issued by this Court and upon which the amount of bail Ordered by this Court is endorsed.

- I. An individual arrested for murder or for whom there is an arrest warrant pending in any other place shall not be admitted to bail without first appearing before this Court for purposes of a hearing regarding admission to bail.
- II. An individual arrested for any offense shall not be admitted to bail until the following information regarding said individual has been obtained and certified by computer check of criminal records, Bureau of Motor Vehicle records, IDACS or NCIC, communications with any law enforcement officer or agency or any other means approved by the Sheriff of Owen County, Indiana.
 1. Name
 2. Current address
 3. Date of birth
 4. Identification (i.e. Social Security # or BMV #)
 5. Whether there are any outstanding warrants for the arrest of said individual.
 6. The criminal record, if any, of the individual arrested.

III.

(A). After the information required by section II has been obtained and subject to the exceptions and requirements provided in all other sections hereof, an individual arrested in Owen County, Indiana, shall be released upon the posting of bond pursuant to the following schedule:

<u>Offense</u>	<u>Indiana Resident</u>	<u>Out of State Resident</u>
Class A Felony	\$50,000	\$100,000
Class B Felony	\$30,000	\$ 60,000
Class C Felony	\$20,000	\$ 40,000
Class D Felony	\$10,000	\$ 20,000
Class A Misdemeanor	\$ 5,000	\$ 7,500
Class B Misdemeanor	\$ 5,000	\$ 5,000
Class C Misdemeanor	\$ 5,000	\$ 5,000

(B). For all crimes against the person, including, murder, all batteries, all sex crimes, kidnapping, confinement, robbery, invasion of privacy and criminal recklessness, the defendant shall be released on any bond until he or she has appeared before the Judge or Referee of the Owen Circuit Court at which time the amount of bond shall be specified by the Court.

(C). For any individual arrested for a felony who has 2 or more prior felony convictions, add \$100,000.00 to the bond specified in section III (A).

(D). For any individual arrested for a felony, who has 1 prior felony conviction, add \$20,000.00 to the bond specified in section III (A).

(E). For any individual arrested for any offense who is presently on bond out of any Court, who is subject to the terms and conditions of a suspended sentence or who has a previous failure to appear conviction in any Court, add \$10,000.00 to the bond specified in section III (a).

(F). For any individual arrested for any offense which is on probation or parole out of any Court, said individual shall be held without bond until his initial appearance before the Court so that a determination can be made under I.C. 35-33-8-6.

IV. An individual arrested for the offense of public intoxication and who is intoxicated shall not be admitted to bail pursuant to section III (A) until a period of fourteen hours has elapsed since his or her arrest. (This section does not apply to individuals charged with Operating A Vehicle While Intoxicated).

V. An individual arrested for the offense of operating a motor vehicle while intoxicated shall not be admitted to bail pursuant to sections III (A) until the following respective period of time, based upon the breathalyzer results of said individual, has elapsed since his arrest.

<u>Breathalyzer Result</u>	<u>Hours which must elapse Between arrest and release Pursuant to Section III (A)</u>
.10	4 hours
.11	4 hours 40 minutes
.12	5 hours 20 minutes
.13	6 hours
.14	6 hours 40 minutes
.15	7 hours 20 minutes
.16	8 hours
.17	8 hours 40 minutes
.18	9 hours 20 minutes
.19	10 hours
.20	10 hours 40 minutes
.21	11 hours 20 minutes
.22	12 hours
.23	12 hours 40 minutes
.24 and above or refusal to submit to breathalyzer	14 hours

VI. Ten Percent Cash Bond

(A). Any individual charged with a misdemeanor may post a 10% cash bond without prior approval of the Court provided that the defendant and the person posting said bond execute a Personal Appearance Bond With Ten Percent Cash Deposit form as specified by this Court.

(B). No individual charged with a felony may post a 10% cash bond unless the Court first approves the posting of such a bond. In the event that the Court approves such a bond, the defendant and the person posting the bond shall execute a Personal Appearance Bond with Ten Percent Cash Deposit form as specified by this Court.

(C). When a defendant and the person posting the bond have executed the Personal Appearance Bond With Ten Percent Cash Deposit form, the said form shall be delivered to the Clerk of this Court with the amount of the bond. When the conditions of the bond have been performed and when so Ordered by this Court, the Clerk of this Court shall retain ten percent (10%) of the deposit for administrative fees (which shall not exceed \$50.00), shall deduct the amount of any judgment for fines, Court costs, restitution, public defender fees or probation users fees and apply the same to the payment of said judgments and shall return the balance remaining, to the defendant or person who posted said bond.

VII. All bonds will be reviewed by this Court at the first Court appearance of the defendant.

- VIII. When bond is posted as provided herein, the Sheriff of Owen County, Indiana, or his designated employee, shall cause the defendant to sign a promise to appear in the Owen Circuit Court. Three copies of such promise to appear shall be prepared. The original, with a copy of said bond attached, shall be filed with the Clerk of the Owen Circuit Court. The Sheriff shall deliver one copy of said promise to appear to the defendant, a second copy to the Prosecuting Attorney and shall retain one copy in the files of the Owen County Sheriff's Department.

LR60-CR-7

Drug Court Fee

- (1) Those persons directed to participate in the Owen County Drug Court shall pay a \$100.00 Court administration fee per admission for initial Drug Court services regardless of the length of participation in the Owen County Drug Court in accordance with I.C. 33-23-16-23. The Clerk of the Court shall collect and transmit the fee within thirty (30) days after the fees are collected for deposit by the auditor or fiscal officer in the appropriate user fee fund established under I.C. 33-37-8.
- (2) Those persons directed to participate in the Owen County Drug Court shall in addition to the \$100.00 admission fee pay an additional \$40.00 per month for a Drug Court service fee beginning with the second month of participation and for each month thereafter for the duration of participation in the Owen County Drug Court in accordance with I.C. 33-23-16-23.

(Amended effective January 1, 2012)

LR60-CR-8

Late Payment Fee

The Court shall impose the late payment fee as authorized under I.C. 33-37-5-22 in the manner prescribed under that statute in those cases meeting the criteria of the statute.

LR60-AR1 (E)-1

Evaluation of Workload Information

The Judge of the Owen Circuit Court and the Referee of the Small Claims and Minor Offenses Division of the Owen Circuit Court shall meet and evaluate their respective caseloads on January 10th of each year and June 10th of each year to determine whether any disparity in their respective caseloads requires adjustment and allocation of judicial resources. At the present time the Small Claims, Traffic, and Misdemeanor Division processes all Small Claims, Infractions, predisposition hearings for all misdemeanors and certain felonies. The Circuit Court processes all criminal cases at the guilty plea, trial, and disposition phase as well as all other types of cases. At the present time, the caseload is distributed proportionately and appropriately after considering the types of cases, the quantity of cases and the respective hours in which each Court is in session. The Judge of the Owen Circuit Court and the Referee of the Small Claims and Minor Offenses Division of the Owen Circuit Court will meet and discuss their respective caseloads from time to time throughout the year and adjust caseloads as necessary to reduce backlog and delays in Court disposition.

LR60-AR 1(E)-2**Remedies in regard to Disproportionate Caseload**

1. If the Judge of the Owen Circuit Court and the Referee of the Small Claims and Minor Offenses Division of the Owen Circuit Court determine a disparity in caseload, the Court will address the issue in the following fashion:
 - a. The Court will use appointments of Judges Pro-tempore to allow time for research and disposition of cases not otherwise available due to congestion in the docket.
 - b. The Court will request assistance of a Senior Judge to allow the Referee and Circuit Court Judge time to address matters under advisement and otherwise reduce the delay in case backload.
 - c. In the event that provisions (a) and (b) are not adequate to address the problem, the Court will proceed under the regional plan approved for Administrative District 10 and request the services of another Judge in said District.

(This rule has been modified. The original rule was approved by the Indiana Supreme Court on September 30, 1999.)

LR60-AR10-1**Owen County Clerk/Duties and Responsibilities**

(A) Duties. The Clerk of the Circuit Court of Owen County (Clerk) shall place within five (5) days of receipt from the Owen Circuit Court all pleadings and case-related documents in the proper case file.

(1) The Clerk shall maintain any record required by an act of the general assembly or a duly promulgated rule of any state agency, including the following:

- (a) *Lis pendens* record (IC 32-30-11-1);
- (b) Record of transcripts and foreign judgments (IC 33-32-3-2(d));
- (c) Judgment Docket (IC 33-32-3-2), wherein all orders requiring entry in the judgment docket shall include the term “judgment” in the title and shall set forth the specific dollar amount of the judgment in the body of the order;
- (d) Execution docket (IC 33-32-3-5);
- (e) Records specified under the probate code; and
- (f) Records specified by the state board of accounts as to the fiscal matters relating to the court and clerk.

(2) The Clerk shall also maintain the following records as specified under Rule 77 of the Indiana Rules of Trial Procedure:

- (a) All new complaints and assigning cause numbers;
- (b) Case file;
- (b) Record of judgments and orders (order book); and
- (c) Indexes.

(B) Case file. In each case assigned a case number, the Clerk shall maintain a file containing a copy of any order, entry, or judgment in the case and the original of all other documents relating to the case including: pleadings, motions, service of process, return of service, verdicts, executions, returns on executions and, if prepared, certified, and approved, the transcript of testimony. The original order, entry, or judgment shall be maintained as part of the order book. The file shall also contain a copy of such original. Unless necessary to detail the filing chronology, the case file need not include transmittal letters, instructions, envelopes or other extrinsic materials not related to the issues of the case. The file shall contain an index tab listing the case number and an abbreviated designation of the parties and shall note the information required under section (D) of this local rule. In the event the court does not maintain a separate evidence file, documents entered into evidence, including depositions, shall be placed into the case file.

(C) Record of judgments and orders (order book). The Clerk shall maintain a daily, verbatim, compilation of all judgments of the court, designated orders of the court, orders and opinions of an appellate tribunal relating to a case heard by the court, local court rules under Trial Rule 81 of the Indiana Rules of Trial Procedure, certification of the election of the regular judge of the court, any order appointing a special judge, judge pro tempore, or temporary judge, the oath and acceptance of any judge serving in the court, any order appointing a special prosecutor, and the oath and acceptance of a special prosecutor. The Clerk may maintain a separate record of judgments and orders as required for the functional management of the court's business. Except where the record of judgments and orders is maintained electronically, a separate record of judgments and orders for confidential materials shall be maintained.

(D) Indexes. In addition to any index required under the provisions of this rule, state statute, or duly promulgated rule of a state agency, the Clerk shall prepare and maintain indexes of all actions and proceedings in circuit court. This index shall be in an alphabetical format which notes the names of all parties, the date on which a party became part of the proceeding, and the case number of the proceeding.

(E) Case File Status.

- (1) The Clerk shall maintain the case files, as set forth under section (B) of this local rule, in either a pending or decided status. Pending files, arranged by assigned case number, consist of all cases which have not been decided. Decided files consist of the actions which have been concluded and no further proceedings remain to be conducted as evidenced by the final judgment or other order of the court.

- (2) When a case has been decided, the file shall be assigned a disposition date pursuant to Administrative Rule 7 of the Indiana Supreme Court and maintained under the original case number in a location apart from pending files. In the event a decided case is redocketed for consideration by the court, the disposition date shall be deleted from the file and the case file returned to the pending cases in sequence with the case number originally assigned. A disposition date shall be reassigned at the time the case returns to a decided status.

(Adopted effective December 1, 2013)

LR60-AR15-1

Court Reporters

The Court, being duly advised, now adopts the following local Court Rule regarding Administrative Rule 15, Court Reporters. In regard to the work of the Court Reporter of the Owen Circuit Court, the Court now adopts the following local Court rule:

1. The Owen Circuit Court shall designate one Court Reporter to act as the Official Court Reporter for preparation of transcript purposes, who shall be paid an annual salary approved by the Owen County Council and who shall have the responsibilities of a Court Reporter under Indiana law. The annual salary paid to the Official Court Reporter shall compensate her for all normal working hours as approved by the Owen County Board of Commissioners and adopted by this Court and shall be paid in compliance with all State and Federal Labor laws effective at the time of employment.
2. The Court Orders that any transcript prepared for an indigent party for which payment is the responsibility of Owen County shall be charged at the rate of \$4.00 per page.
3. The Court Orders that in regard to the preparation of a county indigent transcript, the Court Reporter shall submit a claim for these expenses directly to Owen County.
4. The Court Orders that the charge for a State indigent transcript, shall be a maximum of \$4.00 per page.
5. The Court Orders that the maximum per page fee for a private transcript to be charged by the Owen Circuit Court Court Reporter shall be \$4.00 per page.
6. The Court Orders that the maximum per page fee for an appellate transcript shall be \$4.00 per page.
7. The Court Orders that the minimum fee for preparation of a transcript which is nine pages or less in length shall be the sum of \$35.00.

8. The Court Orders that the Court Reporter may charge an additional hourly labor charge for time spent binding the transcripts and binding the exhibits. This labor charge shall be equivalent to the Court Reporter's hourly compensation rate.
9. The Court Orders that the Official Court Reporter of this Court report on an annual basis to the Indiana Supreme Court Division of State Court Administration, on forms prescribed by the Division, all transcript fees either County indigent, State indigent or private received by the Court Reporter.
10. The Court Orders that the Official Court Reporter of the Owen Circuit Court shall not engage in any private practice of recording a deposition and/or preparing a deposition.
11. In regard to the use of the Court's equipment, the Court Orders that the Official Court Reporter of the Owen Circuit Court shall be allowed to use county equipment entrusted to the Owen Circuit Court for purposes of preparing any transcripts which the Court Reporter is required to prepare under the Court Reporter's duties as a Court Reporter.
12. In regard to any compensation for gap or overtime hours, the Court Orders that the Official Court Reporter of the Owen Circuit court, shall be entitled to compensatory time from her employment for any hours worked between the county specified hours of 35 hours per week and a full time week of 40 hours. that in regard to any overtime hours, to-wit: hours in excess of 40 hours per week or any gap hours, the Court Reporter shall be paid overtime pay of time and an half of her regular hourly salary. In regard to any compensatory time that is due and owing to the Court Reporter, the Court Reporter shall be entitled to be paid for said compensatory time or compensatory time off from work at the Court Reporter's choice with the exception that all compensatory time for any calendar year shall be either paid or used by December 1st of each year with the discretion of the Court and the Court Reporter to agree to an accrual or saving of a certain balance of compensatory time for the Court Reporter's use as deemed appropriate.

LR60-TR63-1

Appointment of Referee as Judge Pro Tempore

In the absence or unavailability of the presiding Judge of the Owen Circuit Court, the Referee of the Small Claims and Minor Offenses Division of the Owen Circuit Court is automatically appointed as Judge Pro Tempore during such absence or unavailability.

LR60-FL-1**Required Parenting Class in Dissolution of Marriage Cases**

In all dissolution of marriage cases involving minor children, the parties shall at their own expense attend and complete the Children Cope with Divorce program of the Visiting Nurse Service, Inc. prior to entry of the decree dissolving the marriage of the parties. Upon application to the Court, the Court may at its discretion waive this requirement or allow participation in an equivalent program. Each party shall be individually responsible for complying with this requirement and providing proof of compliance with the Court.

LR60-FL-2**Family Court, Family Court Rules**

The Owen Circuit Court operates a Family Court Project, which has been approved by the Indiana Supreme Court. The Owen Circuit Court hereby adopts the Family Court Project Rules, which have been approved by the Indiana Supreme Court.

LR60-FL-2A**Definitions**

Family Court “Family Court” is the court or courts before which cases involving a family or household are linked together for purposes of case coordination. The individual cases maintain their separate integrity and separate docket number, but may be give a common family court designation. The individual cases may all be transferred to one judge or may remain in the separate courts in which they were originally filed.

Family Court Proceeding “Family Court Proceeding” is comprised of the individual cases of the family or household which have been assigned to Family Court.

LR60-FL-2B**Exercise of Jurisdiction**

The Family Court may exercise jurisdiction over any case involving the family at the same time it exercises jurisdiction over a juvenile case (Child In Need of Services, Delinquency, Status, and Paternity) involving the family.

LR60-FL-2C**Concurrent Hearings**

The Family Court may, in the court’s discretion, set hearings on related cases to be heard concurrently, take evidence on the related cases at these hearings, and rule on the admissibility of evidence for each cause separately as needed to adequately preserve the record for appeal. The rule applies only when the cases are pending before the same judicial officer.

LR60-FL-2D**Designation of Family Court Case and Change of Judge for Cause**

Once notice is sent to the parties that a case has been selected for Family Court, no motion for change of venue from the judge may be granted except to the extent permitted by Indiana Trial Rule 76.

Within ten (10) days after notice is sent that a case has been selected for Family Court, a party may object for cause to the Family Court designation.

A motion for change of venue from the judge in any matters arising in the Family Court proceeding or any future cases joined in the Family Court proceeding after the initial selection of cases, shall be granted only for cause.

If a special judge is appointed, all current and future cases in the Family Court proceeding may be assigned to the special judge.

LR-60-FL-2E

Judicial Notice and Access to Records

Notice of Case Assignment Within a reasonable time after a case is assigned to Family Court, the court shall provide to all parties in the Family Court proceeding a list of all cases that have been assigned to that Family Court proceeding.

Judicial Notice Any court having jurisdiction over a case assigned to Family Court may take judicial notice of any relevant orders or Chronological Case Summary (CCS) entry issued by any Indiana Circuit, Superior, County, or Probate Court.

If a court takes judicial notice of:

- (a) a court order, the court shall provide a copy of that court order; or
- (b) a CCS or CCS entry(s), the court shall provide a copy of the entire CCS.

The court shall provide copies of the order or CCS to the parties to the case at or before the time judicial notice is taken.

Access to Records Parties to a Family Court proceeding shall have access to all cases within the Family Court Proceeding, with the exception of confidential cases or records to which they are not a party. Parties may seek access to the confidential cases or records in another case within the Family Court proceeding in which they are not a party, by written petition based on relevancy and need. Confidential records shall retain their confidential status and the Family Court shall direct that confidential records not be included in the public record of the proceedings.

LR60-JV-1

Detention of juveniles, surrender of license

As a condition of release of any juvenile who is taken into custody by any law enforcement officer for a delinquent act, the juvenile's driver's license or permit shall be surrendered and delivered to the Owen Circuit Court.